PC Colleagues,

As you may know, quite a bit of logging is going on in Windham at the moment.  It looks like Ernie's property on Turkey Mountain (accessed from West Windham Rd) is being logged.  There are two sites along Golding Road, one on Horsenail Hill and perhaps one on White Road.  Section 503 (TIMBER HARVESTING) on page 31 of our Zoning Regulations says "Commercial loggers must secure a permit prior to beginning logging operations."  That section also says loggers can't fell trees into or across streams and ponds, and they can't leave slash in certain places.  The regulations do not say who the loggers must see to get a permit; it only says they need one.  An old file folder that Bob Bingham passed down to me when I assumed the role of head of the PC has two copies of a document (circa 2007) which is a loggers checklist.  Among other things it says that the PC must conduct a Site Plan Review of prospective logging jobs.  There are other conditions, too, such as posting a $500 bond, and presenting a heavy vehicle permit and proof of insurance to the S.B.  Obviously some, or all of these conditions are no longer in effect, which begs the question, is anyone exercising oversight of logging in Windham?  Are loggers required to get a permit or not?  Are there any other conditions they must meet?

I contacted John Bennett, at the WRC, and asked about logging regulations.  He reminded me that towns cannot regulate silvicultural practices; that's the state's job.  John indicated that towns do have the authority to pass ordinances which pertain to town property, such as the use of its roads.  The state has developed acceptable silvicultural practices and there are county foresters who have the authority to enforce them.  San Schneski is the Windham County Forester, based in Brattleboro.  I don't know if he has been on the site of any of the logging jobs currently underway in Windham.  How would he even know they are occurring?   If loggers are not following best practices, how would anyone know?  Note, I am NOT suggesting that malpractice is currently occurring in our town.  I'm merely raising the question, how would anyone know?  Perhaps the County Forester is called in if a landowner thinks best practices are not being followed.  Also, do loggers need permission to log, as our regulation states, or not?  It seems to me that the PC needs to revise Sec. 503.  If permission is required, we should specify who grants it and articulate the process for getting it.  If not, we should eliminate item 3 in Sec. 503.

I look forward to our discussion of this at tomorrow's meeting.

Bill